

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

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U.S. DISTRICT COURT  
N.D. OF ALABAMA

ANNIE L. DRAKE, ALVIS F. AMBROSE,  
HOLLIS B. BARRON, NANCY GAINES,  
DWIGHT D. MYRICKS, BRENDA WHITE,  
CLAUZELL R. WILLIAMS,

Plaintiffs,

Civil Action No.: CV-02-J-0146-S

vs.

FEDERAL RESERVE BANK OF  
ATLANTA,

Defendant.

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**MOTION TO SEVER PLAINTIFFS' CLAIMS**

COMES NOW the Defendant, The Federal Reserve Bank of Atlanta ("the Bank"), and respectfully moves this Honorable Court, pursuant to Federal Rules of Civil Procedure 21 and 42(b), to sever the claims of each individual Plaintiff from the claims of all other Plaintiffs. In support of this motion, the Bank says as follows:

1. The Plaintiffs and their claims should be severed under Fed.R.Civ.P. 21 as the Plaintiffs assert causes of action under different federal statutes, and the employment actions challenged by each Plaintiff are unrelated.
2. The Plaintiffs' allegations do not arise out of the same transaction, occurrence or series of transactions or occurrences and do not share a question of law or fact common to both Plaintiffs.
3. In the alternative, the Plaintiffs and their claims should be severed under Fed.R.Civ.P. 42(b) because the likelihood of jury confusion or prejudice to the Bank outweighs any efficiency or convenience that might be realized from a joint proceeding.

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4. The Bank filed a Memorandum in Support of this Motion simultaneously herewith.

WHEREFORE the Bank respectfully request that the Court grant its Motion to Sever Plaintiffs' Claims.

Respectfully submitted this 16th day of January 2003.



Peyton Lacy, Jr. (LAC001)  
James C. Pennington (PEN012)  
David L. Warren, Jr. (WAR042)

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Margaret H. Campbell  
(admitted pro hac vice January 2, 2002)


Attorneys for Federal Reserve Bank of Atlanta

**CERTIFICATE OF SERVICE**

I hereby certify that the Motion to Sever Plaintiffs' Claims was served today upon counsel of record listed below, via U.S. Mail.

Samuel Fisher, Esq.  
Mintrel D. Martin, Esq.  
Gordon, Silberman, Wiggins & Childs, P.C.  
1400 SouthTrust Tower  
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This 16<sup>th</sup> day of January 2003.

  
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Of Counsel